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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation,
and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation,
and SETH RAVIN, an individual,

Defendants.

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Case No. 2:10-cv-0106-LRH-PAL

**DEFENDANTS RIMINI STREET,
INC.'S AND SETH RAVIN'S OFFER
OF PROOF REGARDING POST-2011
CONDUCT**

1 On September 17, 2015, this Court sustained Oracle's objection to highly relevant evidence
2 concerning changes to Rimini Street, Inc.'s business practices and entered an order striking
3 testimony on the topic. See 9/24 Tr. 580-583. On October 1, 2015, the Court denied Rimini's
4 motion arguing that Oracle had opened the door to this evidence. Dkts. 845, 857.

5 Rimini has previously stated its basis for presenting this evidence, as well as the prejudice it
6 suffers as a result of its exclusion. *Id.*; see also Dkt. 690 2-6.

7 If permitted, Rimini would offer documents (including Defense Trial Exhibits 411 to 440,
8 which describe the model) and testimonial evidence (including from Mr. Benge and Mr. Ravin)
9 demonstrating that immediately after this Court held that Rimini's conduct infringed Oracle's
10 copyrights, Rimini modified its business model to no longer engage in the practices the Court found
11 unlawful. Rimini would also offer similar evidence demonstrating that it can in fact operate with
12 solely remote environments, which it has done since at least August 2014. Evidence that Rimini
13 discontinued the infringing acts would not require any discussion of *Rimini II*, or even an argument
14 that the new business model is non-infringing

15
16 DATED: October 2, 2015

SHOOK, HARDY & BACON

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18 By: /s/ Robert H. Reckers
19 Robert H. Reckers

20 *Attorneys for Defendants*
21 *Rimini Street, Inc. and Seth Ravin*
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CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

By: /s/ Robert H. Reckers

Robert H. Reckers

Attorney for Defendants

Rimini Street, Inc. and Seth Ravin